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Attorneys for Defendant and Third-Party Plaintiff
SAMSON ROPE TECHNOLOGIES, INC.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

KIEWIT INFRASTRUCTURE WEST CO.,
etc.,

Plaintiff,

vs.

SAMSON ROPE TECHNOLOGIES, INC., et
al.,

Defendants.

Case No.: 2:20-cv-00527-TLN-AC

STIPULATION AND ORDER FOR:

**1) WITHDRAWAL OF DANNY'S
CONSTRUCTION COMPANY, LLC'S
MOTIONS TO DISMISS THIRD-PARTY
COMPLAINTS; and**
**2) FILING OF AMENDED THIRD-
PARTY COMPLAINTS AGAINST
DANNY'S CONSTRUCTION COMPANY,
LLC**

Complaint Filed: November 14, 2019

AND RELATED THIRD-PARTY
ACTIONS.

Defendants and Third-Party Plaintiffs Samson Rope Technologies, Inc. ("Samson") and WesSpur Tree & Equipment, Inc. ("WesSpur") and Third-Party Defendant Danny's Construction Company, LLC ("Danny's"), by and through their respective undersigned counsel of record, stipulate and agree as follows:

1. Danny's hereby withdraws its motions to dismiss the Third-Party Complaints filed against it by Samson and WesSpur, said motions being set for hearing on July 23, 2020.

2. Samson and WesSpur shall each file and serve an amended Third-Party Complaint against Danny's by no later than July 24, 2020.

3. Danny's shall answer, move, or otherwise respond to the amended Third-Party Complaints of Samson and WesSpur within 21 calendar days of the filing and service thereof.

4. Nothing in this stipulation shall affect any right of Danny's to refile its motions to dismiss, to file new motions to dismiss, or to file answers or other responsive pleadings or motions as Danny's may deem appropriate, as to the amended Third-Party Complaints that are filed by Samson and WesSpur pursuant to this stipulation.

5. The parties to this stipulation agree that the Court may enter an order accordingly without hearing and in the form of the order below as provided for by Local Rule 143.

DATED: July 7, 2020

DEMLER, ARMSTRONG & ROWLAND, LLP

/s/ James V. Weixel

John R. Brydon
Brian H. Buddell
James V. Weixel
Attorneys for Defendant and Third-Party Plaintiff
SAMSON ROPE TECHNOLOGIES, INC.

DATED: July 7, 2020

TYSON & MENDEZ

/s/ Richard D. Seely

David S. Ramirez
Richard D. Seely
Attorneys for Defendant and Third-Party Plaintiff
WESSPUR TREE & EQUIPMENT, INC.

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1 DATED: July 7, 2020

RALLS GRUBER & NIECE LLP

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3 /s/ John W. Ralls

4 John W. Ralls

Anita W. Chu

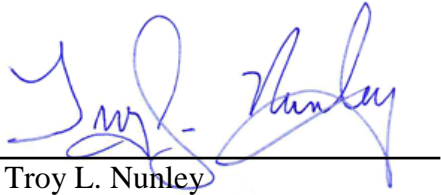
5 Attorneys for Third-Party Defendant

DANNY'S CONSTRUCTION COMPANY, LLC

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7 **ORDER**

8 Pursuant to the foregoing stipulation, IT IS SO ORDERED.

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10 DATED: July 8, 2020

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13 Troy L. Nunley
14 United States District Judge
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